

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SONTAY T. SMOTHERMAN,

Plaintiff,

: Case No. 2:19-cv-4505

-vs-

Judge Sarah D. Morrison
Magistrate Judge Chelsey M. Vascura

DENISE N. ERRETT,

:

Defendant.

ORDER

This matter is before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on November 18, 2019. (ECF No. 9). In that filing, the Magistrate Judge recommended that Plaintiff's action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The Magistrate Judge also recommended that no filing fee be assessed to Plaintiff and that he be ordered to list this action as a related case if he re-files. The time for filing objections has passed, and no objections have been filed. For the reasons set forth in the R&R, the Court hereby **ADOPTS** the R&R (ECF No. 9) and **DISMISSES WITHOUT PREJUDICE** the Complaint (ECF No. 1). No filing fee shall be assessed to Plaintiff in this matter and Plaintiff is **ORDERED** to list the instant action as a related case if he re-files his complaint. The Clerk is **DIRECTED** to **TERMINATE** this case from the docket records of the United States District Court for the Southern District of Ohio.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE